

3. In making such an application, a plaintiff must state the facts concerning his or her poverty with some degree of particularity, definiteness or certainty. *United States ex rel. Roberts v. Pennsylvania*, 312 F. Supp. 1, 2 (E.D. Pa. 1969) (finding affiant's application legally insufficient where the application failed to state the facts of affiant's poverty with any degree of particularity, definiteness or certainty) (citing *United States v. Coor*, 213 F. Supp. 955, 956 (D.D.C. 1963), *rev'd*

on other grounds, 325 F.2d 1014 (D.C. Cir. 1963); *Jefferson v. United States*, 277 F.2d 723, 725 (9th Cir. 1960)).

4. In his Application, Plaintiff failed to list his last date of employment, the take-home salary or wages and pay period for that employment, as well as the name and address of his last employer. (Appl. ¶2(b).)

5. Further, Plaintiff failed to state with particularity the amount of income he received from “business, profession or other self-employment” in the past twelve months. *Id.* at ¶3(a). Instead, Plaintiff only stated that he received a “small amount” of income from that source. *Id.*

IT IS THEREFORE on this 15th day of September, 2008,

ORDERED that Plaintiff’s application to proceed *in forma pauperis* is DENIED without prejudice; and it is further

ORDERED that Plaintiff is granted leave to file an amended application to proceed *in forma pauperis* within 20 days of the date of this Order; and it is further

ORDERED that the Clerk shall serve this Order upon Plaintiff by regular U.S. mail.

s/ Garrett E. Brown, Jr.
GARRETT E. BROWN, JR., U.S.D.J.